

Special Guardianship Order (SGO) Policy

Swansea Council
Child & Family Services
November 2023



1. Introduction

This policy has been produced to support staff working in Child and Family Services with children, young people, and their families in any capacity, to make decisions around Special Guardianship Orders.

2. What does the law say?

The relevant legislation and practice guidance relating to Special Guardianship Orders includes:

- [The Children Act 1989](#)
- [The Special Guardianship \(Wales\) Regulations 2005](#) as amended by [The Special Guardianship \(Wales\) \(Amendment\) Regulations 2018](#)
- [Special Guardianship Code of Practice on the Exercise of Social Services Functions in Relation to Special Guardianship Orders 2018](#)
- Guide for The Offer of Special Guardianship Support in Wales 2020 (AFA), which draws together statutory guidance relating to support service requirements as outlined within and the Special Guardianship Code of Practice on the exercise of Social Services functions in relation to Special Guardianship Orders 2018 [SGO Support Guidance](#)

3. What is a Special Guardianship Order?

A Special Guardianship Order (SGO) is a legal status that provides an alternative for children and families. It offers greater security compared to long-term fostering placements but does not sever the legal ties between the child and their birth family, as is the case with Adoption Orders. The primary aim of SGOs is to ensure that children have the opportunity to grow up within their family network and receive care.

Under an SGO, the Special Guardian is granted parental responsibility for the child. They can exercise this responsibility to the exclusion of others with parental responsibility, except another Special Guardian who shares this responsibility. However, there are limitations to the decisions a Special Guardian can make. For example, they cannot change the child's surname or take them out of the country without the permission of the court or the agreement of all individuals with parental responsibility. Birth parents also retain the right to consent to whether or not the child can be adopted.

Special Guardians may receive support, including financial assistance, from Swansea Council. They have the right to request an assessment for support services at any time after the SGO has been granted. Each family's needs are unique, and the council strives to address each case individually and comprehensively to establish and maintain long-term stability for the child and their family. The level and extent of support required will be determined through a formal Special Guardianship or Unified Assessment, along with the development of an individual SGO Support Plan.

4. Our Vision for Special Guardianship Orders (SGOs)

We firmly believe that every child deserves to live in a safe and stable home, where they can thrive and grow into happy and healthy adults. We understand that the concept of a permanent home may vary for each child, depending on their unique needs. However, whenever it is safe to do so, we strongly advocate for children to be cared for by their parents or within their extended family network. We aim to create an environment where those caring for the child feel empowered to meet their needs and exercise their parental responsibility. As part of our reviewing mechanism, the emphasis of support needs is as important as anything else.

5. Supporting Special Guardianship Arrangements in Swansea

Our dedicated Family and Friends Team (FAFT) works within Child & Family Services and plays a crucial role in helping to maintain family connections. This team focuses on keeping children within their own family network whenever possible, especially when there are concerns about their care while residing with their parents. Throughout the SGO process, from assessment to review and transition, our team works closely with children, young people, and families. We provide comprehensive support and information to families at every step of their SGO journey. As part of our work, we conduct Unified Assessments with potential carers to evaluate their suitability as Special Guardians and ensure they can provide stability, security, and permanence for the child.

FAFT work with families as early as possible to provide information about the SGO process and options to support Guardian's decision making around entering in to an SGO arrangement so that they are able to make informed choices.

It is of utmost importance to us that once an SGO is granted, we continue to offer the necessary support to ensure its success and the satisfaction of the Special Guardian, the child, and the family. We recognise that children's needs are dynamic and change as they grow and develop, and we are dedicated to provision of good quality and responsive support services for a child's entire childhood. SGO support plans are subject to ongoing monitoring and are reviewed at least annually, to ensure that the support arrangements continue to meet the child's needs and that everyone involved is content with the support provided.

The Local Authority is required to prepare an assessment report on prospective Special Guardians. The report includes essential information about the child, their family, the child's wishes and feelings, the prospective Special Guardian, details about the local authority responsible for the report, and recommendations regarding whether an order should be granted. It should also cover contact arrangements and proposed support services, including any financial support.

The assessment of the potential Special Guardianship arrangement also identifies any support needs and forms the basis of the individual support plan. The support plan is completed by the child's social worker, reviewed by the SGO Panel for quality assurance, and finalised with input from the applicants. Once agreed upon, the support plan is filed at court.

Regular 'keeping in touch' reviews of the SGO support plan are undertaken by FAFT who will then coordinate with the appropriate teams, agencies, or services to meet the assessed needs of the family. These reviews are always offered to take place in the Special Guardians home. These reviews help ensure that support plans are still appropriate, effective, and aligned with the child and family's needs. Further to this FAFT have a specialist kinship team

with a duty line that can be accessed by Special Guardians and parents with children in SGO arrangements.

We are committed to providing support services to Guardian's pre and post-Order. This could include access to ongoing training via the foster carer training calendar; support with mediation and communication; access to the Welfare rights team to ensure families have accessed all the benefits they are entitled to; support groups and regular family activity days for children; Early Help services to provide emotional support and guidance to SGO carers and children/ Young People; life story work; offer emotional support, advice, and guidance, liaising with other professionals within the authority but also linking with Health, Education and Community support systems; consultation with Internal Therapy Service (ITS) in respect of ensuring therapeutic and emotional support is available for SGO families. Each support package is based on individual needs and as part of the reviewing process, can be adapted based on the changing need of the family.

6. Complaints and Representations

Special Guardians, Young People or family members may wish to make complaints or representations about aspects of the SGO Service or decisions made about their arrangement. If the matter cannot be informally resolved following discussion with the allocated Social Worker, their Line Manager or the Principal Officer for Care Services and Commissioning, then complaints can be made through the Local Authority's Complaints procedure which can be found at [Making a complaint - Swansea](#).

7. Monitoring and Evaluation

The Principal Officer for Care Services and Commissioning and FAFT Team Manager will meet:

- Annually to review the profile and uptake of SGO Orders
- Annually to review qualitative information and feedback from young people and Guardians on their SGO experiences
- Regular reporting of the above information to the Corporate Parenting Panel

This policy will be reviewed annually.